

No.

In the Supreme Court of the United States

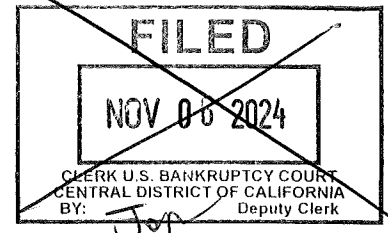
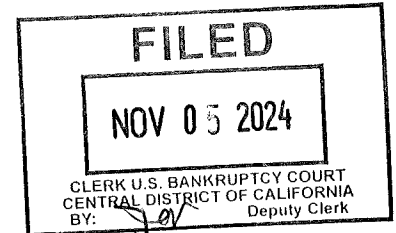
Edward Roark Schwagerl,

Petitioner,

v.

Deborah J. Saltzman,

Defendant.



On Petition for Writ *procendendo ad judiciam* to Circuit Justice
for the Ninth Circuit at Chambers to the United States
Bankruptcy Court the Central District of California

No. 2:21-bk-18205

Petition for Writ *Procendendo ad Judiciam*

Edward Roark Schwagerl
525 Main Street, #120353
Saint Paul, Minnesota
Postal Code 55112
united states of America.

To the Honorable Elena Kagan, Circuit Justice for the Ninth
Circuit at Chambers:

Jurisdiction

This is a suit in equity that arises under the Constitution for
the United States.

Background

Your Orator respectfully shows the Court that he filed his
verified bill in equity for to enforce his bailment and trust
and for specific performance with proof of service, attached
hereto and included herewith, on November 14, 2023 (Doc. 541).
Where the defendant defaulted on her duty to file her plea,
demurrer, or answer to the bill in the clerk's office, and the
time not otherwise enlarged by the Court to answer under Fed. R.
Eq. 12, Your Orator elected to enter an order as of course that
the bill be taken *pro confesso*. That order was entered on
December 8, 2023 pursuant to Fed. R. Eq. 18. (Doc. 548). Your
Orator then moved for attachment to compel an answer under Fed.
R. Eq. 17 on January 10, 2024. (Doc. 554 , 555).

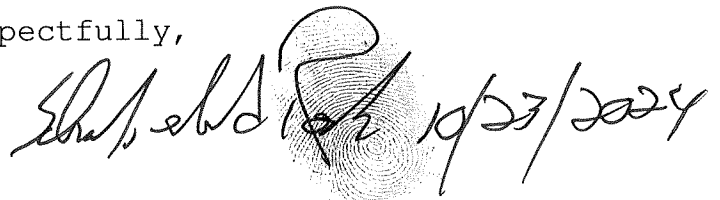
Conclusion

This cause centers on the meaning of the words "for the purpose
of speeding the cause" set forth in Equity Rule 17. The passage
of almost one year since the filing of the bill, and nearly
eleven months since the election to take the bill *pro confesso*,
and for an attachment, with no action taken by the Court to
speed the cause since commencement of the suit and entry of
those documents, works an injustice and an irreparable harm to
Your Orator's rights and interests in this suit. It is therefore
necessary to meet this deafening silence of an unreasonable
judicial delay in resolving Your Orator's claims with a full,

complete, and adequate remedy, with the aid and instrumentality of this Court to speed the cause and summon the lower court to account for the equities on the record in the original jurisdiction, and proceed to judgment on a final decree.

Wherefore, Your Orator is without any other remedy at law, Your Orator invokes the prerogative power of the Courts and prays the issuance of the writ *procendendo ad judicium*.

Respectfully,

A handwritten signature in cursive script, followed by a circular date stamp containing the date 10/23/2024.

Edward Roark Schwagerl

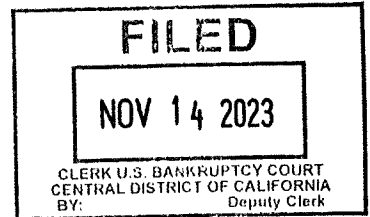
525 Main Street, #120353

St Paul, Mn 55112

[~~\$21.00~~ USPS Money Order]

Service Served via Registered Mail

1. Hon. Associate Supreme Court Justice Alena Kegan, In Camera, RE 637 836 380 US, Supreme Court of the United States, 1 First Street, NE Washington, DC 20543.
2. Deborah Saltzman, d/b/a Judge Deborah Saltzman, In Camera, RE 637 836 393 US, United States Bankruptcy Court, Suite 1634, Central District of California, 255 E. Temple Street, Edward R. Roybal Building, Los Angeles, CA 90012.



in the united states bankruptcy court
for the central district of california

case no.: 2:21-bk-18205

Bill No. _____

in re : crestlloyd, llc, debtor

Edward Roark Schwagerl as Trustee of the Edward Roark Schwagerl Living Estate
Trust 7-14-18,

Complainant,

v.

Honorable Kathleen Campbell, Clerk of the United States Bankruptcy Court for
the Central District of California,

Defendant.

Verified Bill in Equity to Enforce a Trust and for Specific Performance

To the Honorable Deborah Salzman, Complainant tenders this bill in equity and
respectfully shows the Court:

Jurisdiction

This is a suit in equity that arises under the Constitution and laws of the United
States.

1. That Your Orator is private citizen of the United States, of the several
States, a native Ohioan egressed therefrom and ingresses in Minnesota near 2551
38th Ave NE, Saint Anthony Village, whose mailing location is c/o 525 main st,
#120353, Saint Paul, Minnesota, of the several States.

2. That Your Orator is the grantor and trustee to the Edward Roark Schwagerl Living Estate Trust 7-14-18 ("7-14-18 Trust") formed and established by his own acts and deeds upon the record (DOC 534).

3. That Your Orator served a Notice of Withdrawal and a notice of fiduciary assignment and directives to the defendant, named therein, with an application for the Federal C5000 Voucher Program on a letter of credit, \$10.00 (ten dollars) gold and silver coin of the United States deposited with the Court which was accepted and entered on the record on the 16th day of August, 2023 (Doc. 519).

4. That the purpose of the trust resulting from 8-16-23 entry as expressed in said fiduciary assignment, is to deliver up the res to Your Orator, to transfer the procession and control of the Trust Fund to Your Orator, to process the Vouchers as instructed, and to deliver up the proceeds to Your Orator of the C5000 Tax Credit Vouchers Number 1-12 deposited with the defendant (Doc. 527), and to process other Vouchers from time to time until the Trust Fund in the sum of \$144 Billion (\$144,000,000,000.00) is exhausted.

5. That Your Orator served demand on the notice and demand for requisition (Doc 534), and am without performance, disclaimer, or delivery by the fiduciary defendant to which Your Orator is entitled in relation to the processing of the Federal C5000 Voucher Application, Vouchers 1-12, and all other subsequent vouchers, reconveyance of the muniments of titles to real property "THE ONE" that arise from the reimbursement to co-sureties tendered in the case, and that inure to Your Orator. (Doc. 520,527).

6. That Your Orator has express and exclusive power under the trust instrument over administration, banking, and powers of appointment of fiduciary trustees in aid and assistance of the administration of Your Orator's Trust, and that the fiduciary appointment/assignment to the defendant is a matter of record and without disclaimer.

Wherefore, Your Orator is remediless by the strict rules of the bankrupt laws, is without a remedy at law and relievable only in a court of equity, where matters of this nature are properly cognizable, Your Orator prays:

1. That subpoena issue.

2. That Your Orator have a decree declaring the rights and duties of the parties, and that the Edward Roark Schwagerl Living Estate Trust 7-14-18, along with any express, implied, constructive, and resulting trust connected therewith, or arising therefrom, are valid and enforceable.

3. That Your Orator have an order directing the defendant to take and state the full account, to process the Application and Vouchers 1-10, release the sum certain of five hundred million dollars (U.S.\$500,000,000.00) to the assignee of Richard Saghian as reimbursement to the co-surety, to compel the reconveyance of

R.R.S.

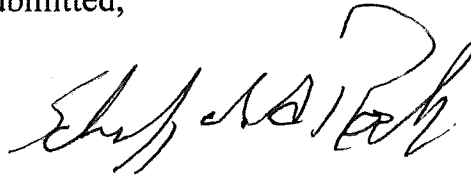
title, and deliver up the remainder of the Trust Fund, control, and possession into Your Orator's hands.

4. That Your Orator receive set-off between his depository tax credits and the bank depository compliant CREDIT GATEWAY ROUTING AND ACCOUNT NUMBER ACH COORDINATES for the magnetic MICR strip used to process in a Federal Reserve Bank. (31 U.S.C. §3301 and §3302). These coordinates will be applied and affixed to the Suitor's Substitute Vouchers SF-1193, DOC 519 8-16-23 TRUST, for Credit Gateway Fedwire And Automated Clearing House (ACH) functions made through the Credit GATEWAY per TFM Part 5 Chapter 7500 and credited to Your Orator's chosen depository(s).

5. That in the alternative Your Orator have an order for the Marshal to deliver the remainder of the Trust res to Your Orator.

[trust seal]

Respectfully submitted,



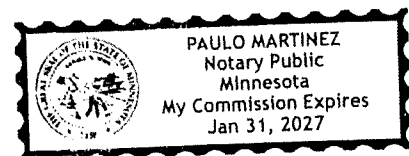
Edward Roark Schwagerl, Orator
In Care of: U.S. Mail Box #120353, Saint Paul, Minnesota.
Tel. +1 (612) 986-6478 – office of trustee.
Email: private9660@docs.simplywise.com

JURAT

Before me, Paulo Martinez, a Notary Public by the State of Minnesota, duly authorized, empowered and admitted to take acknowledgements, depositions under Oath and administer sworn statements, on this day came by special restricted ministerial visitation Edward Roark Schwagerl the within named, known to me to be a private Minnesotan in the several States, without the Territory or District, and affixed his mark and seal upon the above "Verified Bill in Equity to Enforce a Trust and for Specific Performance" he solemnly vows that this Oath and every statement given above is the whole truth to the best of his first-hand personal knowledge and experience. IN TESTIMONY whereof I have hereunto set my Hand and Seal this 13 day of 2023 WITNESS my hand and official seal.

[notary seal]

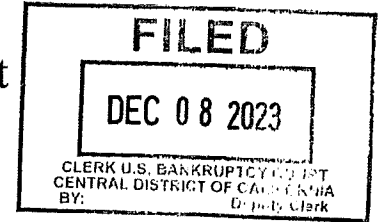
Signature: Paulo Martinez
My commission expires: Jan 31 2027



Doc 548
3 Pages

in the united states bankruptcy court
for the central district of california

case no.: 2:21-bk-18205



Bill No. _____

in re : crestlloyd, llc, debtor

Edward Roark Schwagerl as Trustee of the Edward Roark Schwagerl Living Estate
Trust 7-14-18,

Complainant,

v.

Honorable Kathleen Campbell, Clerk of the United States Bankruptcy Court for
the Central District of California,

Defendant.

Notice and Special Application for Decree Pro Confesso

Take notice and acknowledgement that Edward Roark Schwagerl, complainant in the above special cause, moves this honorable court for a decree pro confesso, Equity Rule 16, as a matter of course on his **Verified Bill in Equity to Enforce a Trust and for Specific Performance**, dated November 11, 2023 (Doc 541 11/14/2023).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Schwagerl, Ed R".

Edward Roark Schwagerl, Orator

In Care of: U.S. Mail Box #120353, Saint Paul, Minnesota.

Tel. +1 (612) 986-6478 – office of trustee.

Email: private9660@docs.simplywise.com

[trust seal]



in the united states bankruptcy court
for the central district of california

case no.: 2:21-bk-18205

Bill No. _____

in re : crestlloyd, llc, debtor

Edward Roark Schwagerl as Trustee of the Edward Roark Schwagerl Living Estate
Trust 7-14-18,

Complainant,

v.

Honorable Kathleen Campbell, Clerk of the United States Bankruptcy Court for
the Central District of California,

Defendant.

DECREE PRO CONFESSO

In this cause the complainant Edward Roark Schwagerl moved the Court for a judgment pro confesso as of course against the defendant Kathleen Benjamin ; and it appearing to the Court that said Kathleen Benjamin is duly in Court, and that she has failed to make any defense to complainant's bill as required by the rules of this Court, it is decreed by the Court, that said bill be taken as confessed, as to said Kathleen Benjamin, and the cause set for hearing ex parte, as to her.

_____,
Filed and Entered at the Clerk's Office: _____

in the united states bankruptcy court
for the central district of california

case no.: 2:21-bk-18205

Bill No. _____

in re : crestlloyd, llc, debtor

CERTIFICATE OF SERVICE

Without waiving any right, remedy or defense, I, the below-named Edward Roark Schwagerl, Interested Party, certify that on December 7, 2023, I placed a true and correct original coy of the attached **Notice of Special Application and Special Application for Decree Pro Confesso**, 4 total pages, in a sealed envelope and deposited it with an official United States Postal Clerk, personally, for mailing no later than December 7, 2023, and delivery for next business day that is not a court-observed holiday, in the United States mail, first class, priority express mail number EI 231 410 655 US, postage prepaid, and addressed as follows:

U.S. Bankruptcy Court Clerk
CERTIFYING OFFICER OF THE FEDERAL PROGRAM AGENCY
Kathleen J. Campbell
Roybal Federal Bldg.
255 East Temple St., Suite 940
Los Angeles, CA 90012

Signature: /s/Edward Roark Schwagerl, Interested Party. Date: December 7, 2023.

Edward Roark Schwagerl (62cv173317)
Tel. +1 (612) 986-6478 – office of trustee.
Email: private9660@docs.simplywise.com

in the united states bankruptcy court
for the central district of california

case no.: 2:21-bk-18205

Bill No. _____

in re : crestlloyd, llc, debtor

Edward Roark Schwagerl as Trustee of the Edward Roark Schwagerl Living Estate
Trust 7-14-18,

Complainant,

v.

Honorable Kathleen Campbell, Clerk of the United States Bankruptcy Court for
the Central District of California,

Defendant.

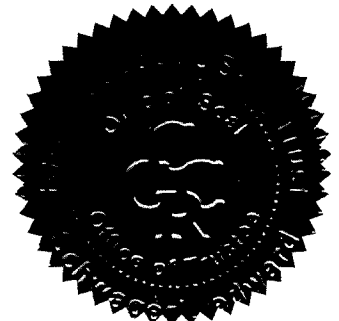
Notice of and Special Ex Parte Motion for Attachment and Final Decree

Take notice and acknowledgement that Edward Roark Schwagerl, complainant in the
above special cause, moves this honorable court for an attachment in accordance with Federal
Equity Rule 17, as a matter of course on his **Verified Bill in Equity to Enforce a Trust and for
Specific Performance**, dated November 11, 2023 (Doc 541 11/14/2023) and **Notice and Special
Application for Decree Pro Confesso**, dated December 8, 2023 (Doc 548, 549, 12/13/2023).

Respectfully submitted,

 1-9-2024 [trust seal]

Edward Roark Schwagerl, Orator
In Care of: general-post Box #120353, Saint Paul, Minnesota [55112].
Tel. +1 (612) 986-6478 – office of trustee.
Email: THEONE-ERS-2024@pm.me



in the united states bankruptcy court
for the central district of california

case no.: 2:21-bk-18205

Bill No. _____

in re : crestlloyd, llc, debtor

Edward Roark Schwagerl as Trustee of the Edward Roark Schwagerl Living Estate
Trust 7-14-18,

Complainant,

v.

Honorable Kathleen Campbell, Clerk of the United States Bankruptcy Court for
the Central District of California,

Defendant.

Special Ex Parte Motion for Attachment and Final Decree

Complainant respectfully shows the Court :

That Your Orator filed and served on defendant a verified bill in equity to enforce a trust and for specific performance on the 14th day of November 2023. See Doc. 541.

That the time allowed for the defendant to answer said bill under Fed. Eq. R. 12 has expired and the defendant has utterly failed to follow the rules, where to date no answer has been filed, nor has the specific performance necessary to enforce the Trust at issue been done as it ought to have been done, the failure of which is contrary to good reason and good conscience.

in the united states bankruptcy court
for the central district of california

case no.: 2:21-bk-18205

Bill No. _____

in re : crestlloyd, llc, debtor

CERTIFICATE OF SERVICE

Without waiving any right, remedy or defense, I, the below-named Edward Roark Schwagerl, Interested Party, certify that on January 9, 2024, I placed a true and correct original coy of the attached **Special Ex Parte Motion for Attachment and Final Decree**, 4 total pages inclusive, in a sealed Post Office official envelope and deposited it with an official United States Postal Clerk, personally, for mailing no later than January 9, 2024, and delivery for next business day that is not a court-observed holiday, in the United States mail, first class, priority express mail number **EI 231 410 686 US**, postage prepaid, and addressed as follows:

U.S. Bankruptcy Court Clerk
CERTIFYING OFFICER OF THE FEDERAL PROGRAM AGENCY
Kathleen J. Campbell
Roybal Federal Bldg.
255 East Temple St., Suite 940
Los Angeles, CA 90012

Signature: /s/Edward Roark Schwagerl, Interested Party. Date: January 9, 2024.
Interested Party. Edward Roark Schwagerl (62cv173317)
Tel. +1 (612) 986-6478 – office of trustee.
Email: THEONE-ERS-2024@pm.me

That Your Orator served and filed notice and application for decree pro confesso, entered on the 8th day of December 2023, and thereupon the suit "shall be proceeded in ex parte". Fed. Eq. R. 16. (See Doc. 548 , 549).

That the time allowed for setting aside the decree pro confesso under Fed. Eq. R. 17 has expired, where no order enlarging the time allowed has been granted, the material allegations set forth in the bill are admitted as true, and the decree pro confesso is deemed absolute and therefore the Court is expressly authorized to enter final decree under the rule at any time following the expiration of thirty days from the entry of the order pro confesso. (Doc. 549).

That Your Orator requires discovery to obtain a proper final decree, and that Your Orator is "entitled to process of attachment against the defendant to compel an answer, and the defendant shall not, when arrested upon such process, be discharged therefrom, unless upon filing his answer, or otherwise complying with such order as the Court or a Judge thereof may direct as to pleading to or fully answering the bill, within a period to be fixed by the Court or Judge, and undertaking to speed the cause". Fed. Eq. R. 17 (formerly Fed. Eq. R. 18).

Your Orator therefore moves the Court to exercise its inherent equity powers and respectfully request that process of attachment issue as of course against the defendants to compel an answer, and concurrently against the fund and property set forth in the bill.

Respectfully submitted,



1-9-2024

Edward Roark Schwagerl, Orator
In Care of: general-post Box #120353, Saint Paul, Minnesota [55112].
Tel. +1 (612) 986-6478 – office of trustee.
Email: THEONE-ERS-2024@pm.me

[trust seal]

